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RUCNFB/FBI WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 JAKARTA 008505

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DEPT FOR EAP/MTS AND S/CT
DOJ FOR CTS THORNTON, AAG SCHWARTZ, OPDAT ALEXANDRE
FBI FOR ETTIU/SSA ROTH

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TAGS: PTER KISL KJUS KVPR PGOV ASEC AS ID

SUBJECT: BALI II TRIALS PROGRESS, EXPERIENCED TERRORISM
PROSECUTOR LEADING THE WAY

REF: A. JAKARTA 06393 (EXECUTION ORDERS SIGNED)
 1B. JAKARTA 05485 (POLICE KILL CAPTURE TERRORISTS)
 1C. 05 JAKARTA 14789 (TERROR MASTERMIND AZAHARI
 KILLED)
 1D. 05 JAKARTA 13324 (BALI ROCKED BY SUICIDE BOMBINGS)

Classified By: Political Officer Tim Hefner for reasons 1.4 (b) and (d)

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Summary

11. (C) The first four trials resulting from the investigation into the October 1, 2005 Bali bombings are ongoing. Mohammad Cholily, Abdul Aziz, Dwi Widiyarto, and Anif Solchanudin all face primary charges under Articles 6 and 15 of the 2003 Anti-Terrorism Law for participating in terrorist acts, charges which carry maximum penalties of death. Of the four, only Cholily and Azis have long-standing JI ties with Cholily alone directly linked to the bombings. Cholily assisted in assembling the bombs, and Azis created a website at Top's behest to publicize their terrorist activities and tactics. Salman Maryadi, the former lead prosecutor in the cases against Jemaah Islamiyah Emir Abu Bakar Ba'asyir, continues to oversee the prosecutions in his new position as Bali's Deputy High Prosecutor. He believes Cholily could receive the death penalty for his actions. With witnesses currently being heard, the trials should reach the verdict stages in August. End Summary.

Bali Bombing Prosecutions Continue

12. (SBU) The first four trials resulting from the investigation into the October 1, 2005 Bali bombings continue with witness testimony in the Denpasar District Court. Concurrent court sessions began on May 9 for Mohammad Cholily, Abdul Aziz, Dwi Widiyarto, and Anif Solchanudin, all of whom face primary charges under Articles 6 and 15 of the 2003 Anti Terrorism Law for participating in terrorist activities, charges which carry maximum penalties of death. Trial sessions continue to take place concurrently and at least weekly, with a noticeable Indonesian National Police (INP) presence securing the facility.

Salman Maryadi Back on the Case

¶13. (C) Salman Maryadi, the former lead prosecutor in the cases against Jemaah Islamiyah Emir Abu Bakar Ba'asyir, told us that he continues to oversee the prosecutions in his new position as Bali's Deputy High Prosecutor. (Note: On June 7, Maryadi formally relinquished his position as Central Jakarta District Prosecutor. Bambang Rukmono has succeeded him. End Note) Maryadi noted frustration in dealing with local police investigators in Bali and told us police from Bali and local Special Detachment-88 (Det-88) units did not connect evidence gathered in the suspects' homes with similar materials found at the scenes of the bombing attacks. INP Team Bomb and Jakarta-based Det-88 personnel with significant terrorism-related experience have been involved in the local investigations only peripherally, leaving them poorly positioned to make decisions on the cases. Maryadi told us the INP has bank account numbers used by terrorist masterminds Noordin Mohammad Top and Azahari bin Husein (deceased, ref C) to receive money for their terrorist activities, but the sources of funds remains unknown. Maryadi lamented the need for more training on terrorism and JI to wider audiences of police, prosecutors, and judges.

¶14. (C) Inexperienced prosecutors have primary responsibility on the four current cases, and Maryadi complained that their initial draft indictments included no mention of JI or any organization of any kind, an oversight he corrected. The four indictments submitted to the Denpasar District Court all include references to Al Jamaah Al Islamiyah, swearing allegiance to JI, the PUPJI (JI's combat training manual), or the Wakalah structure of JI. They all point to heavy involvement by a fugitive named Tedy/Teddy alias Reno. Initially, both the INP and the Australian Federal Police believed "Tedy" to be an alias of Noordin Mohammad Top, but

JAKARTA 00008505 002 OF 003

they now know Tedy exists. The indictments detail the use of Internet cafs, on-line chatting, and instant messaging to plan the attacks. For the first time in terrorism trials, the indictments include information on financial losses for businesses directly affected by the attacks, including 300,000,000 Rp to Raja's Caf (nearly \$33,000 USD), 116,274,250 Rp to Caf Nyoman (nearly \$12,800 USD), and 34,000,000 Rp to PT Telekom (over \$3700 USD). They do not include the bank account information for Top and Azahari's funding, but this evidence may be used during the trials. Overall, the indictments contain little information and thin evidence connecting the suspects directly to the Bali attacks. They also incorrectly list 20 people killed in the attacks rather than the 22 victims and three suicide bombers who actually died (ref D).

¶15. (C) Defense attorneys for Cholily claimed their client had been tortured by INP interrogators, subjected to beatings, electric shock, and sodomy. Cholily alone made these allegations, but the judges presiding over his trial found he could not substantiate his accusations. Maryadi believes prosecutors stand a good chance of winning convictions despite the weak evidence they have. Over 20 witnesses have testified, mostly Bali residents who saw the attacks. Several suspected terrorists, including JI members awaiting their own trials, have testified as well, including Subur Sugiarto alias Abu Mujahid alias Abu Isa alias Toni alias Jono, Achmad Basir, Aditya Triyoga alias Suryo alias Cahyo, Hardi Wibowo alias Dedy alias Wahyudi alias Yudi (septel). We expect the trials to produce verdicts in mid- to late-August.

The Four Accused

¶16. (SBU) Mohammad Cholily
Alias Hanif alias Yahya Antony
DOB: 8-Sept-1977
POB: Malang, Central Java, Indonesia

Cholily joined JI in 1999 and briefly led the training

element of the East Java Wakalah along with Achmad Basir. According to his indictment, Cholily joined Azahari and Arman for a six-day crash course in bomb-making in May 2005. He subsequently worked alongside the two men in Malang constructing several devices for various types of bombs. Top and Tedy took these completed bombs with them in late September 2005. When Cholily, Azahari, and Arman heard news of the explosions on October 1, Azahari pronounced the success of "their plan". On November 9, Cholily, at Azahari's instruction, carried a bag containing a bomb to Semarang to give to Top via Tedy. Team Bomb arrested Cholily at the pickup site along with Anif Solchanudin, but Tedy escaped. Their arrest led the INP to Azahari's safehouse, where they killed the terrorist leader (ref C). The indictment against Cholily contains forensic evidence from the bomb he carried at the time of his arrest showing similarities to bomb components found at the scene of the Bali attacks (ref D). In court, Cholily claimed he did not know he carried a bomb in the bag given to him by Azahari. He also recanted his interrogation statement about Azahari saying "their plan" had succeeded.

¶7. (SBU) Abdul Aziz

Alias Ja'far
DOB: 16-Sept-1975
POB: Pekalongan, Central Java, Indonesia

According to his indictment, Azis joined JI in 1995. In June 2005, Abdul Hadi (killed, ref B) ordered Azis to find a safehouse for Top in Pekalongan, Central Java. Azis visited 10 times while Top stayed there and worked with Cahyo alias Wisnu to create a jihadist website (www.anshar.net) filled with information on the 2002 Bali bombing attacks as well as military tactics, weapons, bomb-making instructions, details on how gunmen should attack vehicles. On the day of the bombing attacks, Azis received a CD containing a video of a masked Top justifying the attacks, which Azis uploaded to their website and also forwarded to Al-Jazeera. His indictment includes Top's speech in its entirety.

JAKARTA 00008505 003 OF 003

¶8. (SBU) Dwi Widiyarto/Widyarto

Alias Wiwid alias Sigit alias Bambang Bin Pramono
DOB: 9-Feb-1972
POB: Semarang, Central Java, Indonesia

Widyartos' indictment reveals Subur Sugiarto (septel) recruiting him along with 6 others: Aditya Triyoga, Hardi Wibowo, Wawan Suprihatin alias Muklis, Hari alias Jay, Sulfaton alias Bejo, and Ahmad Rochmat alias Very in February 2005. Sugiarto and his brother Mohammad Sobri alias Sobron provided the cell with spiritual and physical training for jihad which included firearms training. Sugiarto selected Widiyarto for propaganda work, and Widiyarto assisted with the Top CD justifying the bombings.

¶9. (SBU) Anif Solchanudin

Alias Pendek Bin Suyadi
DOB: 27-Sept-1981
POB: Semarang, Central Java, Indonesia

According to Solchanudin's indictment, Subur Sugiarto also recruited him into JI, and Solchanudin later volunteered to be a suicide bomber. Sugiarto trained him and told him in August 2005 about the impending Bali terrorist attacks (ref D). When the INP arrested Solchanudin with Cholily on November 9, they also searched Solchanudin's home and found two bags with 29 38-caliber bullets thought to belong to Tedy. For this, Solchanudin faces an additional charge under Article 1 Section 1 of Law 12 of the Criminal Code for illegal weapons possession.

PASCOE